

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,
Plaintiff, Counter-
defendant
v.
APPLE INC.,
Defendant,
Counterclaimant.

Case No. 4:19-cv-03074-YGR

**[PROPOSED] ORDER RE: EPIC GAMES,
INC.'S ADMINISTRATIVE MOTION TO
SEAL ITS PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

Pursuant to Civil Local Rule 79-5, Defendant Epic Games, Inc. filed an Administrative Motion to Seal Its Proposed Findings of Fact and Conclusions of Law (the “Administrative Motion”). In response, Defendant Apple Inc. (“Apple”) filed the supporting declaration of Rachel S. Brass.

Having considered the Administrative Motion, all associated declarations, exhibits, and any argument of counsel, and for good cause appearing:

IT IS HEREBY ORDERED that the Administrative Motion is **GRANTED IN PART**.

Accordingly,

(1) The unredacted versions of the documents sought to be sealed by the Administrative Motion shall remain under seal;

(2) The public shall only have access to the versions of the documents sought to be sealed by the Administrative Motion in which portions of the following pages have been redacted:

Portion of Proposed Findings of Fact Sought To Be Sealed	Evidence Offered In Support of Sealing	Ruling
¶ 35	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	
¶ 46	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	
¶ 123.e	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	
¶ 124	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	
¶ 160	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	
¶ 231	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	
¶ 232	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	
¶ 233	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	
¶ 234	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	
¶ 235	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)	

1 2 3 4 5 6 7 8 9 10	Portion of Proposed Findings of Fact Sought To Be Sealed	Evidence Offered In Support of Sealing	Ruling
¶ 239.b	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 297(a)	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 303	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 552(c)	Contains confidential information that could be used to evade the App Review process (Brass Decl. ¶¶ 10-11)		
¶ 564(b)	Contains confidential information that could be used to evade the App Review process (Brass Decl. ¶¶ 10-11)		

11 12 13 14 15 16 17 18 19 20 21 22 23 24	Portion of Conclusions of Law Sought To Be Sealed	Evidence Offered In Support Of Sealing	Ruling
¶ 18	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 19	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 59	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 71	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 91	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 107	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 108	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		
¶ 274	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage (Brass Decl. ¶¶ 8-9)		

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27 **IT IS SO ORDERED.**
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1 DATED: _____, 2021
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The Honorable Yvonne Gonzalez Rogers
United States District Judge